

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

ALAN PETERSON, et al., )  
                                )  
Plaintiffs,                 )  
                                )  
v.                            )      No. 05-0693-CV-W-HFS  
                                )  
HARRAH'S OPERATING COMPANY, )  
INC., et al.,                 )  
                                )  
Defendants.                 )

**ORDER**

Concurrently herewith I have granted Hensel Phelps Construction Co. summary judgment on the cross-claim against it by Harrah's. The construction company's summary judgment claim against third party defendant Metro Tile Contractors (Doc. 147) has been denied.

Harrah's summary judgment motion to recover against the construction company (Doc. 157) is also DENIED, in light of my ruling in favor of the latter company.

The summary judgment claim of Metro Tile Contractors (Doc. 159) is GRANTED, for reasons previously stated.

The Clerk is directed to enter final judgment in this case in favor of the cross-claim defendants against Harrah's and in favor of the third party defendant against Hensel Phelps, and to close the case.

/s/ Howard F. Sachs  
HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

September 15, 2009

Kansas City, Missouri